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Charlestown Mall Site  
Frankfort, NY - EPA Region II  
POLREP #3  
RV-1 (Initial)

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U.S. ENVIRONMENTAL PROTECTION AGENCY  
POLLUTION/SITUATION REPORT  
Charlestown Mall Site - Removal Polrep



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
Region II

**Subject:** POLREP #3  
RV-1 (Initial)  
Charlestown Mall Site  
A239  
Frankfort, NY  
Latitude: 43.0891260 Longitude: -75.1833230

**To:**  
**From:** Terry Kish, On Scene Coordinator  
**Date:** 9/16/2010  
**Reporting Period:** 8/16/2010 - 8/29/2010

1. Introduction

1.1 Background

<b>Site Number:</b>	A239	<b>Contract Number:</b>	EP-S2-10-01
<b>D.O. Number:</b>	10	<b>Action Memo Date:</b>	7/16/2010
<b>Response Authority:</b>	CERCLA	<b>Response Type:</b>	Time-Critical
<b>Response Lead:</b>	EPA	<b>Incident Category:</b>	Removal Action
<b>NPL Status:</b>	Non NPL	<b>Operable Unit:</b>	
<b>Mobilization Date:</b>	8/16/2010	<b>Start Date:</b>	8/16/2010
<b>Demob Date:</b>		<b>Completion Date:</b>	
<b>CERCLIS ID:</b>	NYC200400513	<b>RCRIS ID:</b>	
<b>ERNS No.:</b>		<b>State Notification:</b>	
<b>FPN#:</b>		<b>Reimbursable Account #:</b>	

1.1.1 Incident Category

Inactive Production Facility

1.1.2 Site Description

1.1.2.1 Location

The Charlestown Mall Site is located at 2205 Bleecker Street in the Village of Frankfort, Herkimer County, NY (43.089126 latitude, -75.183323 longitude). The Site is a former manufacturing facility that was used by various owners and industries from as early as 1894 until the mid 1970s when manufacturing ended at the Site. The Site is approximately 14.5 acres in size, of which, approximately 1.7 acres is located in the City of Utica, Oneida County, while the remainder is located in the Village of Frankfort, Herkimer County, New York.  
The Site is located at the eastern edge of the City of Utica in a largely commercial area. Commercial

properties border the Site to the east, north, west and southeast. The Site is bordered to the southwest by the Masonic Care Community of New York, a large assisted living facility that has the capacity to serve approximately 300 residences. Approximately 400 residences are located within one mile of the Site and approximately 950 people live within one mile of the Site.

Savage Arms manufactured small arms and munitions at the Site until after WWII. Manufacturing at the Site slowed until the property was eventually sold in 1956 to Sperry Univac where early computer parts were developed and assembled. Sperry Univac operated at the site until operations ceased in 1976 and the property was sold. A portion of the facility was redeveloped as a retail shopping outlet known as the Charlestown Outlet Complex. At its peak, the shopping outlet housed 52 stores, two restaurants an off-track betting parlor and a food court. The Charlestown Mall operated at the west end of the site until 1991 when the complex became the Charlestown Business Complex which housed commercial tenants of various types.

The property was purchased by Charlestown Mall of Utica, LLC in 2007 and currently commercial use of the property is very limited.

**1.1.2.2 Description of Threat**

In recent years, several buildings at the Site have fallen into advanced states of deterioration. In early 2008, the New York State (NYS) Department of Labor (DOL) and NYS Department of Environmental Conservation (DEC) directed a demolition company to cease unpermitted demolition activities at the Site as no steps were taken to abate asbestos containing materials from the buildings and no variance was obtained prior to demolition. NYS DOL documented the presence of Asbestos Containing Materials (ACM) in the resulting debris piles. In October 2008, NYSDEC referred the Site to EPA for a removal site evaluation. As a result of efforts by the owner to obtain funding to come into compliance at the site, NYSDEC continued negotiations through October of 2009, when NYSDEC asked EPA to resume evaluation of the Site.

Evaluation of the Site in 2008 and 2009 has identified the presence of friable asbestos, corrosive and ignitable liquids, chlorinated solvents stored in drums and the presence of transformers filled with PCB-containing dielectric fluid which present direct contact threats to the public.

**1.1.3 Preliminary Removal Assessment/Removal Site Inspection Results**

On November 4, 2008, EPA Removal Action Branch (RAB), Criminal Investigation Division (CID) along with Removal Support Team (RST) contractors accompanied the NYSDEC Bureau of Environmental Crimes Investigations (BECI) in the execution of a search warrant to collect samples at the Site. Samples confirmed the presence of ACM both in demolition debris and within remaining deteriorated structures. During the investigation, electrical transformers were identified, some of which had been subject to salvaging. Samples confirmed that dielectric fluid released as a result of salvaging, contained PCBs in high concentrations. A sample of oily solids collected from the floor of the transformer area revealed a concentration of 44,000 mg/kg PCBs. This investigation focused solely on the dilapidated/demolished structures on the eastern half of the Site. At that time, approximately nine commercial tenants were estimated to occupy the largely empty Site. Following this assessment, NYSDEC entered into enforcement negotiations with the owner of the property. Further evaluation of the Site by EPA was suspended, pending the outcome of those negotiations.

In October 2009, NYSDEC requested that EPA resume evaluation of the Site. EPA performed an additional removal assessment of the Site in November 2009. This assessment was expanded to include the onsite boiler house (building 6) because evidence of salvaging was observed which had released dielectric fluid onto the ground outside the building. Evaluation of the building identified drums containing corrosive, ignitable, and toxic liquids present with the building. On November 19, 2009, EPA directed the owner of the property, Charlestown Mall, LLC, to secure the boiler house (Building 6) due to the ongoing unauthorized salvaging operations, and to dispose of the abandoned hazardous substances within the building. On December 2, 2009, EPA visited the Site and confirmed that Building 6 had been secured, however the owner refused to dispose of the drums within the building.

Further evaluation of the large volume of demolition debris was also conducted during the November 2009 assessment. A thorough search of surface of the pulverized debris consistently confirmed small fragments of friable ACM to be present throughout the areas searched. Asbestos content of the fragments ranged from <1% to 80% asbestos (chrysotile and/or amosite).

**2. Current Activities**

**2.1 Operations Section**

**2.1.1 Current Activities**

This PolRep represents the initiation of EPA's removal action at the Site as outlined in EPA's Action Memorandum RV1, dated July 16, 2010. The removal actions will mitigate the threat of direct contact posed to the public by PCBs, abandoned drums of chemicals and asbestos contaminated demolition debris present at the Site.

The Emergency Rapid Response Service (ERRS) contractor, KEMRON Environmental Services, Inc. (Kemron) mobilized to the Site on August 16, 2010. Set-up and mobilization activities included the creation of a site specific health and safety plan as well as the establishment of support facilities including office trailers, temporary electrical service, portable sanitary facility service and security guard service. Kemron planned to staff the Site with trained asbestos handlers from team subcontractor, Op-Tech. On August 20, Op-Tech notified Kemron that they were unable to provide staffing at the established contract rates. As a result, Kemron issued an Invitation for Bid (IFB) to local asbestos subcontractors to provide temporary staffing for the Site while Kemron arranges training for existing personnel.

Removal Support Team (RST) contractor, Weston Solutions, Inc. mobilized to the Site on August 18, 2010 and began performing background air sampling for asbestos and particulates. RST also finalized the site specific Quality Assurance Project Plan (QAPP) and Community Air Monitoring Plan (CAMP) for the Site. RST established five perimeter air monitoring stations around the proposed work zone and collected five air samples on August 19 that were submitted for asbestos analysis by Phase Contrast Microscopy (PCM). The analytical results of these samples will serve as background data prior to commencing removal actions on the Site.

### **2.1.2 Response Actions to Date**

On November 19, 2009, EPA directed the owner of the Site, Charlestown Mall of Utica, LLC to secure Building 6 and to dispose of the drums containing hazardous substances within the building. On December 2, 2009, EPA visited the Site and confirmed that the building had been secured, however, the owner did not dispose of the materials inside of the building. The abandoned materials will be disposed of as a part of the upcoming removal activities.

### **2.1.3 Enforcement Activities, Identity of Potentially Responsible Parties (PRPs)**

In November 2008, NYSDEC BECI along with EPA Removal Action Branch and Criminal Investigation Division executed a search warrant at the Site in response to the unpermitted demolition and potential asbestos release which had been documented at the Site. In 2009 NYSDEC directed Charlestown Mall of Utica, LLC to perform a cleanup of the asbestos contaminated debris and PCBs at the Site. Several PRPs have been identified by EPA's Office of Regional Counsel (ORC) and efforts are ongoing to establish additional potentially liable parties. A complete summary of the enforcement status can be obtained through EPA ORC.

### **2.1.4 Progress Metrics**

To date only project mobilization and administrative tasks have been completed.

## **2.2 Planning Section**

### **2.2.1 Anticipated Activities**

#### **2.2.1.1 Planned Response Activities**

An Action Memorandum was approved on July 16, 2010 detailing the need and objective of this removal action. Removal activities will include the following:

- Characterization and disposal of drums and chemicals located inside Building 6;
- Remove and dispose of the electrical transformers and capacitors from Building 15;
- Containerize and properly dispose of the PCB-contaminated debris from the floor of Building 15;
- Demolish Building 15, segregate and dispose of PCB contaminated material as appropriate;
- Repair/replace existing chain link fence;
- Evaluate Buildings 7, 13 and 17 to determine if any bulk ACM can be safely removed prior to demolition;
- Remove and dispose of ACM from existing dilapidated structures and segregated from the debris;
- Demolish remaining portions of Buildings 5, 7, 13 and 17 that cannot be decontaminated safely;
- Demolish partially collapsed Building 9 to provide additional space to stage asbestos contaminated debris accumulated and provide access to the partially collapsed former firing range, which may contain residual lead and require off-site disposal;
- Segregate and decontaminate scrap metal for recycling;
- Dispose off-site asbestos-contaminated debris.

#### **2.2.1.2 Next Steps**

Kemron anticipates a limited subcontracted crew to be in place by August 31 to begin onsite work activities. Initial activities will include the establishment of exclusion and support zones, as well as decontamination facilities. Drums of hazardous substances will be removed from the interior of Building No. 6 and staged in a metal storage container awaiting characterization and disposal. RST 2 will perform perimeter air sampling for asbestos and particulates. Asbestos air samples will be submitted for offsite analysis on a daily basis.

**2.2.2 Issues**

None

**2.3 Logistics Section**

Not Applicable

**2.4 Finance Section**

No information available at this time.

**2.5 Other Command Staff**

**2.5.1 Safety Officer**

EPA has requested ERRS contractors to staff the Site using only NYS trained asbestos handlers.

**2.6 Liaison Officer**

Not Applicable

**2.7 Information Officer**

**2.7.1 Public Information Officer**

Not Applicable

**2.7.2 Community Involvement Coordinator**

Community Involvement Coordinator, Cecilia Echols, has been assigned to the Site and is currently creating a fact sheet.

**3. Participating Entities**

**3.1 Unified Command**

Not Applicable

**3.2 Cooperating Agencies**

New York State Department of Environmental Conservation  
New York Sate Department of Labor

**4. Personnel On Site**

- 1 - EPA OSC
- 2 - ERRS (KEMRON)
- 1 - RST 2 (Weston Solutions, Inc.)

**5. Definition of Terms**

ACM: Asbestos Containing Material

**6. Additional sources of information**

**6.1 Internet location of additional information/report**

- [www.epaosc.net/charlestownmall](http://www.epaosc.net/charlestownmall)
- <http://www.osha.gov/SLTC/asbestos/>
- <http://www.epa.gov/asbestos/>

**6.2 Reporting Schedule**

PolReps will be issued on a weekly basis.

**7. Situational Reference Materials**

Clicking the link below will launch Google™ Earth (if installed on your computer)

<http://www.epaosc.org/sites/5676/files/Charlestown%20Mall%20Site.kmz>

**Note:** 40 MB download, a high speed internet connection is recommended.

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